

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHANETHIA MCNEAL,

Plaintiff

v.

F.M.W.C.C.,

Defendant

Case No. 2:24-cv-01603-APG-DJA

ORDER**I. DISCUSSION**

On September 24, 2024, the Court gave Plaintiff until November 20, 2024, to file a fully complete application to proceed *in forma pauperis* or pay the \$405 filing fee. (ECF No. 3). In response, Plaintiff filed an incomplete financial certificate (ECF No. 4). She did not file an application proceed *in forma pauperis* or a copy of her prison trust fund account statement for the previous six-month period. (*Id.*).

In light of Plaintiff's *pro se* status, the Court extended the deadline for Plaintiff to file a complete application to proceed *in forma pauperis* until January 6, 2025. (ECF No. 5). Plaintiff has now filed a complete financial certificate and a copy of her trust fund account statement for the previous six months. (ECF No. 6). However, Plaintiff has still not filed an application to proceed *in forma pauperis* for inmate, which is pages 1–3 of the Court's approved form.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly

1 signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is
2 page 4 of the Court's approved form, that is properly signed by both the inmate and a
3 prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account**
4 **statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev.
5 Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her
6 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.
7 See 28 U.S.C. § 1915(b). The Court will grant Plaintiff one final extension of time until
8 **February 10, 2025**, to either pay the filing fee or file a complete application to proceed *in*
9 *forma pauperis*.

10 **II. CONCLUSION**

11 For the foregoing reasons, it is ordered that the Clerk of the Court will send Plaintiff
12 the approved form application to proceed *in forma pauperis* by an inmate, as well as the
13 document entitled information and instructions for filing an *in forma pauperis* application.

14 It is further ordered that Plaintiff has **until February 10, 2025**, to either pay the full
15 \$405 filing fee or file a complete application to proceed *in forma pauperis*.

16 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
17 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
18 to refile the case with the Court, under a new case number, when Plaintiff can file a
19 complete application to proceed *in forma pauperis* or pay the required filing fee.

20
21 DATED THIS 10th day of January 2025.



22
23 UNITED STATES MAGISTRATE JUDGE